

# Wetlands Bureau Decision Report

Decisions Taken  
08/11/2003 to 08/15/2003

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2001-02497                      STEINSKY LAND DEV LLC**  
**MOULTONBOROUGH   Unnamed Wetland**

### Requested Action:

Deny permit to fill 11,843 square feet of forested wetland and cross two perennial streams for the construction of an access road in the subdivision of 70 acres into 17 clustered lots.

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### Conservation Commission/Staff Comments:

Con Com requested a hold on the permit until they had a chance to conduct a field review, however, their letter was received after the 14 day period from when the Tax Collector signed the application.

Inspection Date: 01/25/2002 by Doug W Cygan

### With Findings:

#### Standards of Approval:

1. This is a Minor Impact Project per NH Code of Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. Administrative Rule Wt 304.09(a) requires plans submitted with a wetlands application associated with a proposed subdivision shall indicate the boundaries of all wetlands and surface waters, the footprint of all proposed impacts, existing and proposed topography, and the location of all proposed lot lines.

### Findings of Fact:

8. On April 16, 1991, NHDES Wetlands Board issued permit 91-00067 to dredge 400 square feet and fill 26,104 square feet to construct roadway access to 17 clustered lots which expired on April 16, 1993.
9. On April 16, 1993, NHDES Waste Water Engineering Bureau amended the approval of Site Specific Permit WPC-3738-A to an expiration date of May 8, 1995.
10. On December 27, 2001, DES Wetlands Bureau received a Standard Dredge and Fill Application for a proposed access road to a 17 lot cluster subdivision.
11. On January 16, 2002, DES Wetlands Bureau received a letter from the Conservation Commission requesting that we suspend action on this file.
12. On January 25, 2002, DES Staff inspected the project site and found that the wetland delineation was not accurate and two perennial streams were not illustrated on the plans.
13. On February 4, 2002, DES issued a Request for More Information, requesting the applicant address Administrative Rules Wt 301.01(a), Wt 302.03, Wt 302.04, Wt 304.09, and DES Draft Mitigation Rules.
14. On February 13, 2002, DES received information from the applicant which did not pertain to the February 4, 2002 Request for More Information.
15. On February 14, 2002, DES issued a second Request for More Information, asking the applicant to again address Administrative Rules Wt 301.01(a), Wt 302.04, and Wt 304.09 as the applicant failed to address them in his response.
16. On March 27, 2003, DES received a plan which provided wetlands appropriately delineated in the area of the crossings only

and including a Licensed Land Surveyor Stamp in accordance with portion of 304.09(a).

17. On July 2, 2002, DES issued a third Request for More Information again asking the applicant to address Administrative Rules Wt 302.03, Wt 304.09, as they were still not addressed by the applicant and requesting a siltation and erosion control sequence for construction.

18. On February 11, 2003, DES received new plans which reflect the wetland delineation over the entire parcel in accordance with Wt 301.01 and a portion of Wt 304.09. The requested impact area decreased to 11,843 square feet due to the wetlands decreasing in size in accordance with the new delineation.

19. On February 18, 2003, DES faxed review notes requesting more information relative to Administrative Rules Wt 302.03, Wt 304.09(a), 304.04(a), and Siltation and Erosion controls for stream work. This information was requested to illustrate to DES the alternative proposed was the least impacting alternative and to complete our file with plans providing the existing and proposed topography, and written agreement from the abutters.

20. On March 14, 2003, DES received more information including cross sections with inaccurate wetlands delineations from 1991, and a failure to address Rule Wt 302.03.

21. On April 3, 2003, DES again inspected the proposed project site and found that the proposed project is not the alternative with the least impact to wetlands. This was determined because, crossing two proposes to traverse the stream channel at a meander and the wetlands appear to be less profuse to the east on the land of Steinsky Land Development. DES also determined the relocation of the proposed road to the north of impact area 4 does not provide an engineering hardship as the topography of the uplands within the lot is flat and there is no evidence of ledge outcrops in the area.

22. On April 9, 2003, DES issued a fourth Request for More Information again asking the applicant to address Administrative Rules Wt 302.03, 304.09(a), 304.04(a) and specific sedimentation and erosion controls for the project. This information was requested as DES was not convinced that the alternative proposed was the least impacting alternative and to complete our file with plans providing the existing and proposed topography, and written agreement from the abutters.

23. On July 21, 2003, DES received more information from the applicant addressing Administrative Rule Wt 304.04(a) and noting that all in stream work will be done in the dry.

#### Findings in Support of Denial:

24. The applicant has repeatedly failed to provide all the information required by Administrative Rule Wt 304.09(a).

25. The applicant has failed to consider alternatives which would avoid and minimize impacts to wetlands.

26. The project is therefore denied per Rule Wt 302.04(d)(1) as there are practical alternatives that would have less adverse impact on areas under the department's jurisdiction.

27. The project is denied per Rule Wt 302.04(d)(3) as the project causes unnecessary destruction of wetlands.

28. The project is denied in accordance with Rule Wt 302.04(d)(5), as the applicant has not met the requirements of Wt 302.03.

#### **2002-00126                      PAYNE, STEVEN E & KATHLEEN T MANCHESTER   Tannery Brook**

#### Requested Action:

Request permit amendment to install a 9 foot by 5 foot rip-rap apron at the 6 inch VCP drain pipe.

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#### Conservation Commission/Staff Comments:

The conservation commission has not commented on this application.

#### APPROVE AMENDMENT:

Dredge 2350 sq ft along 250 linear ft of previously impacted intermittent stream channel and place North American Green C350 erosion control matting along the length of the impact area and revegetate to alleviate existing erosion and flooding problems and install a 9 foot by 5 foot rip-rap apron at the 6 inch VCP drain pipe.

#### With Conditions:

1. All work shall be in accordance with plans by The City of Manchester dated December 2001, as received by the Department on May 30, 2002 and amended plans by the City of Manchester received July 21, 2003.

2. DES shall be notified, in writing, within 48 hours of the commencement of work.

3. The North American Green installation manual for C350 shall be reviewed by the on site contractor and prior to the

commencement of work and shall be on site while work is being conducted.

4. The North American Green C350 shall be installed in strict accordance with the manufacturers specifications.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
6. Any further alteration of areas that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Work shall be done in the dry.

With Findings:

Reaffirm original findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 19, 2002. Field inspection determined that the channel is indeed eroding and that there is a high potential to flood the existing Payne Residence.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this stream ecosystem.
7. The placement of the C350 and the vegetation of the stream channel will improve the water quality as it flows through the area.
8. This dredge is being permitted to protect a preexisting home.

With the added finding:

9. The city has experienced erosion from this outlet and requested to place this rip rap to correct the problem.

**2002-01731                      MCCAFFERY, EILEEN**  
**MASON   Black Brook Aka Mitchell Brook**

Requested Action:

Dredge approximately 59,902 square feet of open water and fill 2,607 square feet of the Black Brook to construct a dam. Activities include temporary installation of check dams, dam and associated emergency spillway construction and dredging

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Conservation Commission/Staff Comments:

\*In a letter dated 8/16/02, the Mason Conservation Commission stated that they have no objections to the project.

\*In a letter dated 6/24/02, NHI stated that there are no recorded occurrences of sensitive species near the project area.

Inspection Date: 07/30/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge approximately 59,902 square feet of open water and fill 2,607 square feet of the Black Brook to construct a dam. Activities include temporary installation of check dams, dam and associated emergency spillway construction and dredging

With Conditions:

1. All work shall be in accordance with plans by Sanford Survey and Engineering dated May 29, 2003, as received by the

Department on June 12, 2003.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
7. Work shall be done during drawdown.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project proposes to impact 62,898 sq ft of jurisdictional wetlands and is therefore a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq ft of nontidal wetlands, surface waters and adjacent banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 30, 2003. Field inspection determined plans accurately depict the site conditions.
6. The project will provide a deep water habitat and maintain existing emergent and scrub-shrub fringe habitats.
7. Proposed surface water elevation will rise .75 feet above existing water level which as presented will not adversely impact abutting properties.
8. This project as proposed will not adversely impact or degrade existing jurisdictional areas.
9. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of these wetland ecosystems.

**2002-02320                      SUNRAY SHORES WATER DISTRICT**  
**BELMONT   Winnisquam Lake**

Requested Action:

Reconsider permit denial and approve application request to: Place 106 cubic yards of sand over 5550 square feet of existing beach

and below the high water line on 185 ft of frontage on Winnisquam Lake, Belmont.

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Conservation Commission/Staff Comments:

The Belmont Conservation Commission did not comment on this project.

Inspection Date: 04/03/2003 by Jocelyn S Degler

APPROVE RECONSIDERATION:

Replenish a 5550 square feet beach with 106 cubic yards of sand on an average of 185 of feet of shoreline frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Sharon Hampton dated October 18, 2002, as received by the Department on March 14, 2003.
2. No sand shall be placed below the high waterline.
3. No more than 105 cubic yards of sand may be used
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. All work within jurisdiction shall be at least 20 feet from abutting property lines.
8. Work shall be done during drawdown.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a Major Impact Project per NH Code of Administrative Rule Wt 303.02(o), construction of or replenishment of a beach that does not meet the criteria for minimum impact under Wt 303.04(d) or minor impact under Wt 303.03(f).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
3. DES Staff conducted a field inspection of the proposed project on April 21, 2003. Field inspection determined that there is approximately 9 inches of sand on the beach.
4. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the Lacustrine system.
5. The beach has not been replenished within the last six years.
6. There will be no sand placed below the high water line.
7. The existing failed stormwater culvert will also be repaired and will reduce the amount of erosion across this beach.

2002-02397

LORD, DANIEL

SALEM Unnamed Wetland

Requested Action:

Request for reconsideration of the Department's approval decision dated March 27, 2003 to: permanently impact approximately 8,588 square feet and temporarily impact approximately 14,004 square feet of forested and scrub-shrub wetlands and an intermittent stream in and adjacent to Salem Prime Wetland #2 to construct a roadway to provide access to a senior housing community on approximately 83 acres.

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Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated December 5, 2002 the Salem Conservation Commission (ConCom) recommended to approve the request for re-delineation of the boundary of Prime Wetland #2 and recommended to deny the application to fill Prime Wetland #2 for roadway construction. The Salem ConCom recommended an alternative roadway alignment that would not impact Prime Wetland #2 or the Town's Prime Wetland Buffer.

Inspection Date: 02/14/2003 by Christian P Williams

**DENY RECONSIDERATION:**

Reaffirm approval of standard dredge and fill application to permanently impact approximately 8,588 square feet and temporarily impact approximately 14,004 square feet of forested and scrub-shrub wetlands and an intermittent stream in and adjacent to Salem Prime Wetland #2 to construct a roadway to provide access to a senior housing community on approximately 83 acres. Preserve through conservation easement approximately 39 acres on-site, including approximately 30.3 acres of forested wetlands and approximately 8.7 acres of contiguous upland buffer, and construct 8,588 square feet of forested wetlands on-site.

**With Findings:**

Reaffirm findings of the Department's approval decision dated March 27, 2003.

In a letter to the NHDES Wetlands Bureau dated April 11, 2003 the Salem Conservation Commission (ConCom) requested reconsideration of the Department's decision dated March 27, 2003. In its letter the Salem ConCom states that an alternative roadway location exists off Veterans Memorial Parkway at the western end of the property that would avoid impacts to Salem Prime Wetland #2. In addition, the Salem ConCom states that it was not established that the alternative roadway location would have any negative affect on public safety. Furthermore, the Salem ConCom cites the following errors in the Department's approval decision:

1. The applicant has not minimized permanent wetlands impacts because an alternative roadway location exists at the western end of the property which would avoid impacts to Salem Prime Wetland #2; 2. The applicant has failed to meet the requirements of Rule Wt 703.01(b)(1)&(5) because the placement of conservation easements "does nothing to mitigate the net loss of prime and other wetlands functions"; 3. The Department's ability to make significant observations of the wetlands involved in the applicant's proposal or the alternative road location were hindered during its inspection of the property on February 14, 2003 by nearly two feet of snow cover; and 4. The project fails to meet the requirement of Rule Wt 703.01(b)(3). Specifically, no public safety issues have been established regarding the road location at the western end of the property and therefore it cannot be ruled out as a practicable alternative. Furthermore, Veterans Memorial Parkway is a town roadway under the jurisdiction of the Salem Planning Board and therefore any claim to public safety issues is premature without review of the Salem Planning Board.

In response, the Department makes the following findings:

1. In response to items #1 and #4 referenced above, the DES Wetlands Bureau, in a letter to the Town of Salem Planning Director dated April 30, 2003, requested that the Salem Planning Board submit a written statement to the Bureau regarding the Planning Board's position on the issue of the alternative roadway location at the western end of the property as it relates to public safety.
2. On July 29, 2003 the DES Wetlands Bureau received a memorandum from Stephan Pernaw, P.E., the Town of Salem's traffic consultant, to the Salem Planning Director stating that driveway location "A", the location authorized by the DES Wetlands Bureau in its approval decision dated March 27, 2003, remains the preferred alternative from a traffic operations and safety standpoint.
3. On August 13, 2003 the DES Wetlands Bureau received an electronic mail communication from the Salem Planning Director stating that at their August 12, 2003 meeting, the Salem Planning Board voted to find that driveway alternative "A" is the safest access to the property given the two alternatives submitted to the Planning Board.
4. The Department finds that although driveway location "A" will have direct impacts to Salem Prime Wetland #2, it represents the alternative that best balances wetlands impacts with public safety.
5. In response to the Salem Conservation Commission's statement that the applicant has failed to meet the requirements of Rule Wt 703.01(b)(1)&(5) because the placement of conservation easements "does nothing to mitigate the net loss of prime and other wetlands functions," the Department finds that the proposed wetlands compensatory mitigation package, which includes preservation of approximately 8.7 acres of upland buffer, exceeds the mitigation ratios described in the Bureau's Draft Wetlands Compensatory Mitigation Rules.
6. In response to the Salem Conservation Commission's concerns about the Department's ability to make significant observations during its inspection of the property on February 14, 2003, the Department acknowledges the complexities associated with delineating wetlands and/or verifying wetlands boundaries under conditions of significant snow cover. However, as the purpose of the Department's field inspection was to ascertain general site characteristics, including drainage patterns and topography, and walk the two alternative roadway alignments, not to verify the wetland delineation, the presence of snow did not prevent the Department from making necessary site observations.

Requested Action:

Permanently remove existing 4 ft x 24 ft seasonal pier connected to an existing 4 ft x 25 ft seasonal pier in a 'T' shape, and replace with a 4 ft x 40 ft seasonal pier attached to a 4 ft x 29 ft seasonal pier in a 'T' shape adjacent to an existing 4 ft x 38 ft seasonal pier on an average of 725 ft of frontage on Lake Wentworth.

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Conservation Commission/Staff Comments:

Con. Com. did not object to project.

APPROVE PERMIT:

Permanently remove existing 4 ft x 24 ft seasonal pier connected to an existing 4 ft x 25 ft seasonal pier in a 'T' shape, and replace with a 4 ft x 40 ft seasonal pier attached to a 4 ft x 29 ft seasonal pier in a 'T' shape adjacent to an existing 4 ft x 38 ft seasonal pier on an average of 725 ft of frontage on Lake Wentworth.

With Conditions:

1. All work shall be in accordance with plans by Ken Hoyt, as received by the Department on July 31, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. No work is authorized to the 3 existing "breakwaters" on the frontage.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. Removed material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau prior to the installation of the new seasonal dock.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. All seasonal piers shall be removed from the lake for the non-boating season.
10. No portion of the pier shall extend more than 34 feet from the shoreline at full lake elevation.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 725 feet of frontage along Lake Wentworth.
3. A maximum of 10 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The proposed docking facility will provide 6 slips as defined per RSA 482-A:2, Boat slip, and therefore meets Rule Wt 402.14.
5. Public hearing is waived based on field inspection, by NH DES staff, on August 4, 2003, with the finding that the project impacts will not significantly impair the resources of Lake Wentworth.

-Send to Governor and Executive Council-

**2003-00935                      CIRCLE PROGRAM**  
**GROTON Stream,pond & Wet Meadow**

Requested Action:

1. Excavate 1,740 sq ft to construct a 26 ft x 60 ft perched beach accessing the water with 6 ft x 10 ft wooden stairs over the bank.
2. Fill 1000 sq ft to construct 200 linear ft of driveway access.



3. Fill 20 sq ft to replace a 12 in x 12 ft long culvert, in kind, and fill 180 sq ft to install (3) 18 in x 24 ft long culverts in (3) intermittent streams for access.
4. Install a 6 ft x 30 ft seasonal dock adjacent to an existing 6 ft x 30 ft seasonal dock.

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Conservation Commission/Staff Comments:

Con. Com. did not comment.

APPROVE PERMIT:

1. Excavate 1,740 sq ft to construct a 26 ft x 60 ft perched beach accessing the water with 6 ft x 10 ft wooden stairs over the bank.
2. Fill 1000 sq ft to construct 200 linear ft of driveway access.
3. Fill 20 sq ft to replace a 12 in x 12 ft long culvert, in kind, and fill 180 sq ft to install (3) 18 in x 24 ft long culverts in (3) intermittent streams for access.
4. Install a 6 ft x 30 ft seasonal dock adjacent to an existing 6 ft x 30 ft seasonal dock.

With Conditions:

1. All work on this lot having an average of 1,730 ft of frontage on Spectacle Pond, Groton, shall be in accordance with plans by Mountain Mapping dated September 2002, as received by the Department on May 19, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Excavated and removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. The seasonal piers shall be removed from the lake for the non-boating season.
10. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
11. No more than 32 cu yd of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Work shall be done during low flow.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(o), construction of a beach that does not meet the criteria for minimum impact under Wt 303.04(d) or minor impact under Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on July 21, 2003. Field inspection determined that the project is approvable.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.

-Send to Governor and Executive Council-

**2003-01196                      NH DEPT OF TRANSPORTATION**  
**CANAAN   Mascoma River**

Requested Action:

Replace and widen the bridge over the river, add 4 ft. shoulders along Rte. 4, replace overflow bridge with three 24 in. culverts, replace and improve drainage structures and improve and realign two intersections impacting a total of 114,959 sq. ft. of mostly palustrine wetlands (12,917 sq. ft. temporary). Provide a 50-acre (approximately) Conservation Easement.

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Inspection Date: 08/04/2003 by Gino E Infascelli

APPROVE PERMIT:

Replace and widen the bridge over the river, add 4 ft. shoulders along Rte. 4, replace overflow bridge with three 24 in. culverts, replace and improve drainage structures and improve and realign two intersections impacting a total of 114,959 sq. ft. of mostly palustrine wetlands (12,917 sq. ft. temporary). Provide a 50-acre (approximately) Conservation Easement. NHDOT project #12870.

With Conditions:

1. All work shall be in accordance with plans by TranSystems Corp. dated 5/02 and Hoyle Tanner Assoc. (sheet 9) all as received by the Department on June 12, 2003.
2. This permit is contingent upon the submission of a project specific, stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

18. Final stamped engineering plans are to be submitted to the file prior to any construction activity.

#### Wetland preservation:

19. This permit is contingent upon the execution of a conservation easement on approximately 50 acres as depicted on plans received June 12, 2003.

20. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

21. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau by June 30, 2004.

22. The NHDOT shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee by June 30, 2004 to serve as a baseline for future monitoring of the easement area.

23. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] by June 30, 2004.

24. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location by June 30, 2004.

25. A copy of the deed shall be submitted to the DES Wetlands Bureau following execution of the Easement.

26. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

27. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

#### With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c) alteration of more than 20,000 sq. ft. of non-tidal wetlands

2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on August 4, 2003 and determined that the wider bridge and shoulders along with the intersection realignments we benefit the safety of the general public.

6. The application, plans and the conditions for the approval have minimized the disturbance for areas within jurisdiction.

7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of these riverine and palustrine ecosystems.

#### MINOR IMPACT PROJECT

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**2001-01325 NH DEPT OF TRANSPORTATION  
STRATFORD Connecticut River**

**Requested Action:**

Request to amend the permit to relocate abutments back from the river and construct a concrete pier.

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**APPROVE AMENDMENT:**

Amend the permit to relocate abutments back from the river and construct a concrete pier impacting 11,090 sq. ft. (7,445 sq. ft. temporary) within bank and channel area of the Connecticut River to rehabilitate the existing Maidstone/Stratford Hollow Bridge. All work will be conducted behind cofferdams. NHDOT project #13086.

**With Conditions:**

1. All work shall be in accordance with:
  - a. Plan sheet 1 of 1 by Lichtenstein Consulting Engineers dated 04/14/03 received by the Department on June 6, 2003 and
  - b. Plan sheets 27 and 35 of 65 by Lichtenstein Consulting Engineers dated 05/24/02 received by the Department on June 6, 2003.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. The impacts associated with the temporary work shall be remediated immediately following construction.
18. Work proposed for a canoe access to the Connecticut River shall be submitted in a separate application for review.
19. Stamped engineering plans meeting the requirements of Administrative Rules Wt 404.04(b) and (e) shall be provided to the file prior to construction.

**With Findings:**

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of river or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2002-00490                      MEADER, SUSAN**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Permanently remove an existing 4' x 40' seasonal dock with a 4' x 10' extension in an "L" shape and install two 6' x 30' seasonal piers hinged off 4 pilings, connected by a 4' x 11' 11" walkway in a "U" shape on an average of 200 feet of frontage on Lake Winnepesaukee, Moultonborough

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Conservation Commission/Staff Comments:

Request for time extension by the applicant, received December 26, 2002; request is to keep file open until June 30, 2003.

APPROVE PERMIT:

Permanently remove an existing 4' x 40' seasonal dock with a 4' x 10' extension in an "L" shape and install two 6' x 30' seasonal piers hinged off 4 pilings, connected by a 4' x 11' 11" walkway in a "U" shape on an average of 200 feet of frontage on Lake Winnepesaukee, Moultonborough

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on July 1, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
4. These shall be the only docking structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project will provide 3 boat slips and is therefore a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking system that exceeds the minimum criteria classified under Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2002-02376                      SCHROEDER, CHARLES**  
**RINDGE   Unnamed Wetland**

Requested Action:

Retain and upgrade approximately 7,000 square feet of previously disturbed jurisdictional wetlands and install a 15" x 20' culvert to provide access to a single family residence and restore approximately 7,500 square feet of palustrine forested wetlands

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Conservation Commission/Staff Comments:

No comments from the Conservation Commission as of June 11, 2003.

The restoration areas have been restored to original grades and mulched. Plantings have not been completed as of June 6, 2003.

Inspection Date: 10/16/2002 by Ana K Ford

Inspection Date: 06/06/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Retain and upgrade approximately 7,000 square feet of previously disturbed jurisdictional wetlands and install a 15" x 20' culvert to provide access to a single family residence and restore approximately 7,500 square feet of palustrine forested wetlands

With Conditions:

1. All work shall be in accordance with plans by Peragallo Associates dated June 23, 2003, as received by the Department on June 30, 2003 and the Restoration Plan Approval issued by DES on November 1, 2002.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is subject to the Restoration Plan Approval issued by DES on November 1, 2002, and all conditions there in and in accordance with the Notification of Agreement dated November 25, 2002, as received by DES on November 27, 2002.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project proposes to impact 7,000 sq ft and restore approximately 7,500 sq ft of jurisdictional wetlands and is therefore a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 10, 2003. Field inspection determined the restoration area was stable, and original grades restored.
6. The applicant submitted documents on November 27, 2002, in which they agreed to accept responsibility for the completion of the Restoration Plan Approval issued by DES on November 1, 2002.

**2003-00201 NASCO, DAVID & PATRICIA**  
**GRAFTON Unnamed Wetland**

Requested Action:

Dredge 11962 square feet of poorly drained wetland for construction of a wildlife and fire pond.

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Conservation Commission/Staff Comments:

The conservation commission did not comment on this project.

Inspection Date: 05/05/2003 by Jocelyn S Degler

APPROVE PERMIT:

Dredge 11962 square feet of poorly drained wetland for construction of a wildlife and fire pond.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants dated January 25, 2003, as received by the Department on January 31, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Wt 303.04(p).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. DES Staff conducted a field inspection of the proposed project on May 5, 2003. Field inspection determined that the stream channels illustrated on the plan are marginal in nature. The area of the proposed pond makes the most sense and to move it further into the uplands would compromise the house location or would put the pond off lot. There is no water supply for fire suppression anywhere in the vicinity and the wetland has already been cleared as part of a forestry application.

**2003-00583**                      **MCNICHOL, ROBERT**  
**BOW**   **Unnamed Wetland**

Requested Action:

Dredge and fill approximately 14,995 square feet of palustrine forested wetlands and a seasonal stream to provide access to a 7-Lot subdivision and preserve in perpetuity 3.92 acres in a conservation easement consisting of 1.65 acres of wetlands and 2.27 acres of uplands

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Conservation Commission/Staff Comments:

On April 8, 2003, the Bow Conservation Commission requested that a hold be placed on this application, to provide the town an opportunity to review the project and provide comments.

May 30, 2003, the Bow Conservation Commission expressed concerns about impacts to wildlife, and suggested protection of a wildlife corridor with easements on the property.

Inspection Date: 05/07/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill approximately 14,995 square feet of palustrine forested wetlands and a seasonal stream to provide access to a 7-Lot subdivision and preserve in perpetuity 3.92 acres in a conservation easement consisting of 1.65 acres of wetlands and 2.27 acres of uplands

With Conditions:

1. All work shall be in accordance with plans by W.G. Howard, as received by the Department on June 18, 2003 and Plan and Profile plan sheet revised May 20, 2003, which upgraded 24" culverts to 36".
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland preservation:

12. This permit is contingent upon the execution of a conservation easement on 3.92 acres as depicted on plans received June 18, 2003.
13. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
14. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
15. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
16. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
17. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their



location prior to construction.

18. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

19. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of jurisdictional wetlands
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 20, 2003. Field inspection determined plans accurately depict the site.
6. The applicant has provided 3.92 acres for a conservation easement, consisting of 1.65 acres of wetlands and 2.27 acres of uplands.
7. The conservation easement will maintain in perpetuity an established wildlife corridor documented in a report submitted to DES Wetlands Bureau on June 18, 2003.

**2003-00710                      MORELLO, WAYNE & LISA**  
**LITTLETON   Partridge Lake**

Requested Action:

Replace an existing 50 linear ft wood crib retaining wall with a stone retaining wall on an average of 160 ft of frontage on Partridge Lake, Littleton.

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Conservation Commission/Staff Comments:

Con. Com. had no objections to project.

APPROVE PERMIT:

Replace an existing 50 linear ft wood crib retaining wall with a stone retaining wall on an average of 160 ft of frontage on Partridge Lake, Littleton.

With Conditions:

1. All work shall be in accordance with plans by Lobdell Associates revised July 22, 2003, as received by the Department on July 28, 2003.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Area shall be regraded to original contours following completion of work.
6. Excavated and removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.

10. Only 4 stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. Work shall be done during a period of low water.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Wt 303.03(j), replacement of an existing wood retaining wall with a stone wall that will involve work in the water, but no change in size, location or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project shall include removing 4 stumps within, a 50 ft log wall and all associated fill within the protected shoreland above Wetlands Bureau jurisdiction.

**2003-00713**

**NH DEPT OF TRANSPORTATION**

**GOSHEN Blood Brook**

Requested Action:

Replace the superstructure, rehabilitate bridge abutments, add toe wall, add stone fill and catch basins impacting 3,583 sq. ft. of stream and bank (2,672 sq. ft. temporary).

\*\*\*\*\*

APPROVE PERMIT:

Replace the superstructure, rehabilitate bridge abutments, add toe wall, add stone fill and catch basins impacting 3,583 sq. ft. of stream and bank (2,672 sq. ft. temporary). NHDOT project #13477.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated Feb. 20, 2003, as received by the Department on April 21, 2003.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. There shall be no trees cut with the exception of allowing the placement of stone at the culvert outlet (area "A").
19. Temporary impacts shown as areas D, E and F are for erosion control purposes only.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of stream channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The payment voucher was mixed up with another application.
6. The waterbody has been corrected to Blood Brook as shown on the USGS map.
7. Areas D, E and F are for erosion controls only.
8. The drainage will allow the removal of water from the road and a drainage easement was not allowed on the other side of the road.

**2003-00736                      ANDERSON, LYNN**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Install a 6 ft x 40 ft seasonal dock hinged to a 7 ft x 3 ft concrete pad, with a 6 ft x 12 ft seasonal walkway connected to an existing 6 ft x 40 ft seasonal dock in a 'U' shape, and install a 13 ft x 25 ft seasonal canopy, with a 10 ft x 14 ft seasonal boatlift on an average of 173 ft of frontage on Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

USGS map has the wrong locus. GIS review was done from previous files.  
Does not qualify as an expedited application.

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock hinged to a 7 ft x 3 ft concrete pad, with a 6 ft x 12 ft seasonal walkway connected to an existing 6 ft x 40 ft seasonal dock in a 'U' shape, and install a 13 ft x 25 ft seasonal canopy, with a 10 ft x 14 ft seasonal boatlift on an average of 173 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co., Inc. dated July 1, 2003, as received by the Department on July 7, 2003.

2. All work is subject to the restoration of the illegal beach. Pictures showing the beach restored with native plantings must be submitted to DES Wetlands Bureau prior to the installation of the docking structures.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal boatlifts shall be removed for the non-boating season.
9. Seasonal piers shall be removed for the non-boating season.
10. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
11. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
15. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), installation of an additional seasonal dock for a total of 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 9, 2003. Field inspection determined there is an illegal beach that must be restored with native plantings and perched, prior to the installation of the seasonal docking structures.
6. The Wetlands Bureau received photographs documenting that the beach restoration had been completed on August 11, 2003.

**2003-01151                      ATTITASH BEAR PEAK SKI AREA**  
**BARTLETT   Stony Brook**

Requested Action:

Dredge 1,050 square feet within the bed and banks of Stony Brook (impacting 90 linear feet) to install a new 12" diameter water main from an existing pump house and snowmaking pond at Attitash Bear Peak. The new line replaces an existing 12" water main that will be dedicated for fire suppression activities.

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Conservation Commission/Staff Comments:

\*In a letter dated 7/16/03, the Bartlett Conservation Commission stated that they have no objection to the project as presented.  
\*In a letter dated 6/30/03, NHI stated that there are some adjacent NNE Floodplain Forest that are rare enough to be tracked by NHI.

APPROVE PERMIT:

Dredge 1,050 square feet within the bed and banks of Stony Brook (impacting 90 linear feet) to install a new 12" diameter water main from an existing pump house and snowmaking pond at Attitash Bear Peak. The new line replaces an existing 12" water main that will be dedicated for fire suppression activities.

With Conditions:

1. All work shall be in accordance with plans by H.E.Bergeron Engineers dated 5/1/03, as received by the Department on 6/9/03.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The applicant shall notify in writing NHDES Wetlands Bureau and the Bartlett Conservation Commission of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
5. All work within Stony Brook shall be conducted in the dry using a dam and flume or dam and pump method.
6. All in-stream work shall be conducted during low flow conditions and shall not occur between October 1 and May 31 to minimize impacts to the cold-water fishery resource.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and wetlands.
9. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
10. Stream bed and banks shall be restored to their original contours and shall be left in a stable condition following the completion of work.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03(1), as the project impacts less than 200 linear feet within the bed and banks of Stony Brook.
2. The proposed impacts are needed to install a new 12" water main for snowmaking and to dedicate the existing water main for fire suppression activities.
3. The NNE Floodplain Forest community that was identified by NHI is located approximately ¼ mile upstream and downstream of the project location; therefore, the floodplain community should not be impacted by this temporary disturbance.

**2003-01245                      PATENAUDE PROPERTIES**  
**HENNIKER   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 3,712 square feet of palustrine forested wetlands to provide access to a 28-lot open space subdivision  
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Conservation Commission/Staff Comments:

Conservation Commission supports the project, with the provision that no future wetlands be impacted on the subdivided lots.

APPROVE PERMIT:

Dredge and fill approximately 3,712 square feet of palustrine forested wetlands to provide access to a 28-lot open space subdivision

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated January 2003, as received by the Department on June 16, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project proposes to impact 3,712 sq ft of nontidal wetlands and is therefore a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission has approved the impacts with the request that no further impacts be made to the remaining wetlands.
6. The permit has been conditioned for no further impacts to the remaining wetlands within the subdivision.
7. The project will provide 28 single family lots on 45 acres and provide 50 acres of open space.

**2003-01310                      BOISVERT, WILLIAM**  
**WEARE   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 2,400 square feet of a seasonal stream to provide access to 4 lots of a proposed 5-lot subdivision

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Conservation Commission/Staff Comments:

Conservation Commission is supportive of the common driveway approach for access to build able lots. Expressed concerns for handling the drainage on lots 109-16-2 and 109-16-1.

APPROVE PERMIT:

Dredge and fill approximately 2,400 square feet of a seasonal stream to provide access to 4 lots of a proposed 5-lot subdivision

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs, LLC. dated April, 2003, as received by the Department on June 23, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project will alter 64 linear feet of a seasonal stream and is therefore a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of an intermittent stream channel and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The driveway access for lots 109-16-2 and 109-16-1 has been designed to handle the associated upland drainage.

**2003-01344**

**ROBERTSON, VIOLA**

**BRADFORD Lake Todd**

Requested Action:

Excavate 180 sq ft of shoreline to replace 96 linear ft of wood retaining wall with concrete block, and install a 4 ft x 24 ft seasonal dock on an average of 386 ft of frontage on Todd Lake, Bradford.

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Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Excavate 180 sq ft of shoreline to replace 96 linear ft of wood retaining wall with concrete block, and install a 4 ft x 24 ft seasonal dock on an average of 386 ft of frontage on Todd Lake, Bradford.

With Conditions:

1. All work shall be in accordance with plans by Lloyd Vose dated January 23, 2003, as received by the Department on June 27, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Excavated and removed material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau before any new construction may begin.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning

- seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
  8. Work shall be done during low flow.
  9. Seasonal piers shall be removed for the non-boating season.
  10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(j), repair and replacement of an existing retaining wall that may require work in the water.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission did not comment on this project within the required 14 day period.
6. The Lake Todd Association, with full flowage rights, approved applicant's request to replace the existing retaining wall lakeward of present location.

**MINIMUM IMPACT PROJECT**

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**2003-00677                      KAIROS IGTM LLC, DAVID & DAWN HALL**  
**MONT VERNON    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 958 square feet of palustrine forested wetlands to provide access to a 12 lots of a 14-lot subdivision with two lots for open space

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Conservation Commission/Staff Comments:

Conservation Commission did not sign the expedited application. Stated they would submit comments under separate cover. No comments submitted to the bureau as of August 15, 2003.

Inspection Date: 06/06/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill approximately 958 square feet of palustrine forested wetlands to provide access to a 12 lots of a 14-lot subdivision with two lots for open space

With Conditions:

1. All work shall be in accordance with plans by Meridian land Services, Inc. dated July 14, 2003, as received by the Department on July 18, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.



5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project will provide access to 12 building lots and 2 open space lots.

**2003-00797                      NH DEPT OF TRANSPORTATION**  
**RYE   Atlantic Ocean**

Requested Action:

Replace 40 linear feet of a 12 in. collapsed CMP pipe impacting 2,560 sq. ft. (2480 sq. ft. temporary).

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Inspection Date: 02/05/2003 by Gino E Infascelli

APPROVE PERMIT:

Replace 40 linear feet of a 12 in. collapsed CMP pipe impacting 2,560 sq. ft. (2480 sq. ft. temporary). NHDOT project #M610-03A.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated District 6 as received by the Department on May 1, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters and repairs shall be during low tide.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during low tide.

10. Temporary work area shall be left at original contours following completion of work.

With Findings:

1. This project is deemed as a minimum impact per Administrative Rule Wt 303.04(o) as the Department finds the replacement of 40 feet of culvert and the temporary impact area to be of minimal impact to the environment.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-00798                      NH DEPT OF TRANSPORTATION**  
**RYE   Tidal Buffer Zone**

Requested Action:

Repair 407 linear feet of riprap, along Route 1A, eroded from storm surge using class B stone (4,070 sq. ft.) and temporarily impacting 2,035 sq. ft.

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APPROVE PERMIT:

Repair 407 linear feet of riprap, along Route 1A, eroded from storm surge using class B stone (4,070 sq. ft.) and temporarily impacting 2,035 sq. ft. NHDOT project #M610-03B.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 6 as received by the Department on May 1, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically permitted as rip rap in this location.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
7. There shall be no work beyond 25 feet from the edge of pavement.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair rip rap slope.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01008                      RANDALL, GARY**  
**WENTWORTH   Unnamed Wetland**

Requested Action:

Fill 192 square feet within an unnamed seasonal stream to install a 48" x 30' culvert and fill 1,715 square feet of forested wetland to construct a shared driveway serving 2-lots for single-family residences.

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Inspection Date: 07/17/2003 by Craig D Rennie

**APPROVE PERMIT:**

Fill 192 square feet within an unnamed seasonal stream to install a 48" x 30' culvert and fill 1,715 square feet of forested wetland to construct a shared driveway serving 2-lots for single-family residences.

**With Conditions:**

1. All work shall be done in accordance with revised plans by Harry Burgess dated July 2003, as received by the Department on August 4, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
7. Work shall be done during periods of low flow or dry conditions.
8. Proper headwalls shall be constructed over the culvert ends within seven days of culvert installation.
9. Stone aprons shall be installed at culvert outlets to prevent scouring and erosion.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This project is considered a Minimum Impact Project per NH Administrative Rule Wt 303.04(n)and(f).
2. In a letter dated May 20, 2003, the Wentworth Conservation Commission stated that they visited the site and were in the opinion that a bridge over the brook would be better than the proposed culvert.
3. On July 8, 2003, Francis Muzzy called (Wentworth Selectmen/Planning Board) to request that DES staff inspect the site to make a determination of what proposal would be most appropriate for this site that reduced overall impacts to the brook.
4. On July 17, 2003, DES staff inspected the property and found that the proposed crossing should be relocated slightly upstream (20 to 30 feet) to avoid a large bolder that is located in the bed and bank of the brook. In addition, downstream of the proposed project, the brook crosses under Atwell Hill Rd. At this location, there is an existing 48" CMP that appears to have been in place for quite some time. The wear and water marks on the inside of this culvert shows that higher flows only fill about 1/3 of the culvert and there are no signs of back flooding or impounding of water from the road bed.
5. On July 18, 2003, DES requested that the applicant revised the plans to relocate the proposed culvert 20 to 30 feet upstream to avoid excessive impacts to the brook.
6. On August 4, 2003, a revised plan was submitted that reduced the overall wetland impact by 481 square feet and relocated the culvert approximately 20 feet upstream to avoid a large bolder in the brook.
7. Overall, the revised plans for this project will not significantly impact the resources of this unnamed seasonal stream and is the least impacting alternative for this shared driveway.

**2003-01210                      ALTON, TOWN OF**  
**ALTON    Unnamed Stream**

**Requested Action:**

Confirm emergency authorization to replace existing collapsed 24-inch x 50 foot culvert with a new 24-inch x 50 foot culvert and construct new headwalls.

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Conservation Commission/Staff Comments:

The Alton Conservation Commission did not comment on this applicaiton.

CONFIRM EMERGENCY AUTHORIZATION:

Replace existing collapsed 24-inch x 50 foot culvert with a new 24-inch x 50 foot culvert and construct new headwalls.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(x) Maintenance, repair or replacement of culverts and their associated headwalls.
2. The project was necessary to maintain the use of a public right of way.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on June 18, 2003.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2003-01233

HLF CORPORATION

BOW Unnamed Pond

Requested Action:

Fill 180 square feet of jurisdictional bank on two unnamed ponds to replace 420 feet of culvert with 515 feet of culvert for conversion of an existing parking lot to commercial development

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APPROVE PERMIT:

Fill 180 square feet of jurisdictional bank on two unnamed ponds to replace 420 feet of culvert with 515 feet of culvert for conversion of an existing parking lot to commercial development

With Conditions:

1. All work shall be in accordance with plans by HSI Hayner/Swanson, Inc. dated June 2, 2003, as received by the Department on June 16, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m), for projects that disturb less than 50 linear feet along the banks pr shoreline of a pond or lake.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is located within the bounds of the previously permitted project, Wetlands Permit # 1992-1296 and therefore not an alteration for further lot development.
6. The project is located within the Designated River buffer for the Merrimack River and NHI communities and species have been documented in the area.
7. DES has determined the project will not adversely impact the Merrimack River. The site is isolated from the river.
8. DES has determined the project will not adversely impact the documented NHI species and communities. They are located in separate watersheds and isolated from the project site.

**2003-01267                      LARY, EDWARD**  
**CANAAN   Unnamed Wetland**

Requested Action:

Approve name change to: James A & Susan A Dorris, 72 Bear Pond Rd., Canaan, NH 03741 per request received 8/14/03.

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Conservation Commission/Staff Comments:

Con. Com. did not sign application. It will be reviewed as a Standard Minimum

APPROVE NAME CHANGE:

Fill 2840 sq ft to install (3) 15 in x 23 ft long culverts, and (1) 18 in x 23 ft long culvert for a single family driveway crossing in an unnamed wetland, in Canaan.

With Conditions:

1. All work shall be in accordance with plans by Carlisse Clough dated June 4, 2003, as received by the Department on June 20, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be carried out in a time and manner such that disturbance to breeding and nesting areas shall be avoided.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2003-01343                      SCOTT, BRIAN/CARRIE**  
**CHESTERFIELD   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,800 square feet of palustrine forested wetlands and install an 18" x 20' culvert to provide access to a single family residence

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Conservation Commission/Staff Comments:

Conservation Commission in a letter dated June 29, 2003, recommended not granting a permit for the currently proposed project.

August 1, 2003, DES received revised plans for the proposed project.

Inspection Date: 08/08/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill approximately 1,800 square feet of palustrine forested wetlands and install an 18" x 20' culvert to provide access to a single family residence

With Conditions:

1. All work for the driveway crossing shall be in accordance with plans by the applicant, as received by the Department on August 1, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is conditional upon the restoration of 3 areas of impacted wetlands on the property. The proposed restoration plans to be received by DES for review no later than October 24, 2003.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill in wetlands shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. The restoration areas shall be properly constructed, monitored, and managed in accordance with approved final restoration plans and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
13. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
14. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
15. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
16. Wetland (creation/restoration) areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

18. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the Department determines that the restoration activities were not completed as approved.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department finds the project will not adversely impact the area.
6. The applicant is required to submit a restoration plan for review and approval for 3 areas impacted during site development.
7. The concerns expressed by the Conservation Commission have been addressed with a revised plan which eliminates the proposed channeling, and reduces impacts.

**2003-01479                      TILLOTSON CORP**  
**DIXVILLE   Unnamed Pond**

Requested Action:

Dredge 8,250 square feet within an existing man-made pond to remove accumulated sediments and restore original pond depth.  
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APPROVE PERMIT:

Dredge 8,250 square feet within an existing man-made pond to remove accumulated sediments and restore original pond depth.

With Conditions:

1. All work shall be done in accordance with plans by Tillotson Corp., as received by the Wetlands Bureau on 7/11/03.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Work shall be done during drawdown.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
7. Within three days of a temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is classified as a Minimum Impact Project per NH Administrative Rule Wt 303.04(k), as impacts are for maintenance dredging within an existing man-made pond.

**2003-01497                      ROCHESTER PUBLIC WORKS DEPT.**  
**ROCHESTER   Unnamed Wetland**

Requested Action:

Fill approximately 50 square feet of forested and scrub-shrub wetlands to install a stone apron at the outlet of a 24-inch stormwater drain associated with utility and roadway improvements to Chestnut Hill Road.

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Conservation Commission/Staff Comments:

No comments received from the Rochester Conservation Commission.

APPROVE PERMIT:

Fill approximately 50 square feet of forested and scrub-shrub wetlands to install a stone apron at the outlet of a 24-inch stormwater drain associated with utility and roadway improvements to Chestnut Hill Road.

With Conditions:

1. All work shall be in accordance with the Chestnut Hill Road Connector and Chestnut Hill Road Sta. 0+00 to 7+75 Plan (Sheet U-2) and the Miscellaneous Details Plan (Sheet U-6) by Camp Dresser & McKee, Inc. dated June 2003, as received by the Department on July 14, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Rule Wt 303.03(f), as the project involves alteration of less than 3,000 square feet of forested and scrub-shrub wetlands.
2. The stone outlet protection is necessary to dissipate the velocity of stormwater discharge and prevent scour and erosion.
3. The project is being conducted as part of utility and roadway improvements to Chestnut Hill Road that will upgrade drainage and sewer facilities to protect area wetlands and surface waters, which are tributaries to the Cocheco River, from untreated stormwater and septic system pollution.
4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01681                      KING, ROBERT**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:



Permanently remove an existing 2 ft x 6 ft walkway, and install a 6 ft x 40 ft seasonal dock hinged to rocks along the shoreline on an average of 275 ft of frontage on Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. recommended approval.

APPROVE PERMIT:

Permanently remove an existing 2 ft x 6 ft walkway, and install a 6 ft x 40 ft seasonal dock hinged to rocks along the shoreline on an average of 275 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Center Harbor Dock & Pier dated July 22, 2003, as received by the Department on July 24, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), installation of a 2-slip hinged seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01686                      WHITNEY, LEONARD**  
**BELMONT   Lake Winnisquam**

Requested Action:

Install two seasonal jet ski lifts in the existing boat slip identified as slip number 1, within a 46-slip major docking facility on an average of 1232 ft of frontage on Lake Winnisquam, Belmont.

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Conservation Commission/Staff Comments:

Con. Com. did not respond to application.

APPROVE PERMIT:

Install two seasonal jet ski lifts in the existing boat slip identified as slip number 1, within a 46-slip major docking facility on an average of 1232 ft of frontage on Lake Winnisquam, Belmont.

With Conditions:

1. All work shall be in accordance with plans by Leonard Whitney, as received by the Department on July 25, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Seasonal jet ski lifts shall be removed for the non-boating season.
7. These lifts shall only be installed in slip number 1. They shall not be installed in any other location on the frontage.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), installation of 2 jet ski lifts into an existing boat slip.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2003-01643                      MILLER, ROBERT & WANDA**  
**WENTWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wentworth Tax Map 5, Lot# 8-22

**2003-01645                      NOLL, WALTER, JOCELYN, JENNIFER**  
**CORNISH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Cornish Tax Map 6, Lot# 116,124

**2003-01646                      BLANCHETTE, JOHN**  
**PETERBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Peterboro Tax Mpa R2, Lot# 3-102

**2003-01647                      MEADOWSEND SAWMILL**  
**HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hopkinton Tax Map 254, Lot# 3

**2003-01648                      MCCONNON, THOMAS**  
**WESTMORELAND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Westmoreland Tax Map R2, Lot# 9

**2003-01649                      OLSEN FAMILY FOREST, SPNHF**  
**SULLIVAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sullivan Tax Map 1, Lot# 14

**2003-01650                      BOYNTON, RON & GENE**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Hampton Tax Map R18, Lot# 31

**2003-01665                      RZEPA, WILLIAM**  
**DUBLIN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dublin Tax Map 8, Lot# 50

**2003-01667                      WESTON, HOWARD**  
**SUTTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sutton Tax Map 3, Lot# 856,025

**2003-01668                      MCCRILLIS TRUST, MARION**  
**SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sandwich Tax map R6, Lot# 24

**2003-01669                      COOK JR, EDWARD**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax MAP 15, Lot# 94

**2003-01670                      BERKACH GROUP REALTY TRUST**  
**FITZWILLIAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Fitzwilliam Tax Map 18, Lot# 24

**2003-01671                      BERKACH GROUP REALTY TRUST**  
**GILSUM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilsum Tax Map 406, Lot# 70.1

**2003-01672                      MEAD WESTVACO**  
**DIXVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dixville Tax Map 1626, Lot# 1

**2003-01673                      BROWNE LIMMITED PARTNERSHIP**  
**CHESTERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Chesterfield Tax Map 10, Lot# 1 section A

**EXPEDITED MINIMUM**

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**2002-01993                      HARRIS, FRANCES**  
**SUNAPEE   Lake Sunapee**

Requested Action:

Amend permit to replace structure in-kind using existing support structures rather than new concrete anchor as originally proposed.

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APPROVE AMENDMENT:

Replace an existing 21'x 10' wharf with an attached 10'6"x 12' pier and an attached 8'x 4' seasonal pier with a cantilevered structure of the same dimensions on 125' of frontage.

With Conditions:

1. All work shall be in accordance with revised plans dated August 7, 2003 as received by the Department on August 11, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair/replacement shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall

remain until the area is stabilized.

6. This permit does not authorize the placement of machinery within surface waters or on the bed of the lake.

7. Additional repairs to this structure may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.

With Findings:

1. The applicant has asked to amend the permit due to prohibitive costs of the original proposal.

**2003-00181 PALMASON CORPORATION**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Repair a 7 ft x 20 ft crib and the posts, decking, and stringers of an 8 ft x 39 ft permanent pier located on 108 feet of frontage on Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed this Minimum Impact Expedited permit application.

APPROVE PERMIT:

Repair a 7 ft x 20 ft crib and the posts, decking, and stringers of an 8 ft x 39 ft permanent pier located on 108 feet of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by T.W. Charles dated December 12, 2002, as received by the Department on January 30, 2003, and construction narrative by Robert Palmason dated August 1, 2003, as received by the Department on August 1, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
4. Repair shall maintain existing size, location and configuration.
5. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
6. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding or nesting areas or fish spawning areas.
7. Work shall be done during drawdown.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of a pre-existing crib supported pier.

**2003-00829                      EVCO CORP**  
**DERRY   Unnamed Wetland**

Requested Action:

Dredge and fill 380 square feet of forested wetlands and intermittent streambed to install three 15-inch diameter culverts for access to two single-family building lots within a 3 lot residential subdivision on a 19.84-acre parcel of land.

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Conservation Commission/Staff Comments:

The Derry Conservation Commission signed this application.

APPROVE PERMIT:

Dredge and fill 380 square feet of forested wetlands and intermittent streambed to install three 15-inch diameter culverts for access to two single-family building lots within a 3 lot residential subdivision on a 19.84-acre parcel of land.

With Conditions:

1. All work shall be in accordance with the Subdivision Plan by Duval Survey Inc. dated May 15, 2003, as received by the Department on July 29, 2003, and detail sheets and narrative by BAG Land Consultants dated July 25, 2003, as received by the Department on July 29, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be conducted during low flow.
6. Orange construction fencing shall be placed at the limits of construction prior to construction to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Wt 303.04(f).
2. The applicant submitted evidence that this project will not impact prime wetlands located proximate to the project area. On July 29, 2003, BAG Land Consultants submitted affirmation to the Department that all work in wetlands will be greater than 400 feet from the prime wetland boundary and that work will be conducted during low flow conditions and with appropriate erosion controls installed to prevent siltation, erosion and/or turbidity during construction. Additionally, the July 29, 2003 letter stated that wetland boundaries on the site have been flagged and the project has been designed to maintain undisturbed natural buffers adjacent to wetland boundaries.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Rule Wt 302.03. On July 29, 2003, the Department received a letter from BAG Land Consultants stating that the Town of Derry discourages common drives on this project. Wetland crossings have been designed to minimize impacts by crossing wetlands at the narrowest point, minimizing the width of the crossing to the extent possible, and crossing in areas that are only seasonally saturated. The applicant revised plans to install larger culverts at the crossings to avoid the need to maintain the culverts as frequently.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

6. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

**2003-01176                      ROBIE, GEORGE**  
**HILL   Unnamed Stream**

Requested Action:

Dredge and fill a total of 400 square feet in 3 locations and install 3 culverts for access to upland portions of a building lot and for logging purposes.

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Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact expedited application.

APPROVE PERMIT:

Dredge and fill a total of 400 square feet in 3 locations and install 3 culverts for access to upland portions of a building lot and for logging purposes.

With Conditions:

1. All work shall be in accordance with plans by George Robie, as received by the Department on June 13, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), Projects involving alteration of less than 3000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01480                      FRANKLIN PIERCE COLLEGE**  
**RINDGE   Pearly Lake**

Requested Action:

Impact 9 linear ft of bank to install a dry hydrant on Pearly Lake, Rindge.

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Conservation Commission/Staff Comments:

Con. Com. signed application

**APPROVE PERMIT:**

Impact 9 linear ft of bank to install a dry hydrant on Pearly Lake, Rindge.

**With Conditions:**

1. All work shall be in accordance with plans by Thomas A. Duffield dated June 27, 2003, as received by the Department on July 14, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), installation of a dry hydrant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01482                      BREEN, TODD**  
**LANDAFF   Scotland Brook**

**Requested Action:**

Fill 200 sq ft to install a 24 in x 20 ft long culvert in a seasonal brook for a single family driveway crossing in Scotland Brook, in Landaff.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con. Com. signed application.

**APPROVE PERMIT:**

Fill 200 sq ft to install a 24 in x 20 ft long culvert in a seasonal brook for a single family driveway crossing in Scotland Brook, in Landaff.

**With Conditions:**

1. All work shall be in accordance with plans by Todd Breen, as received by the Department on July 15, 2003.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and



remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert for a single family driveway crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01484                      WHITTAKER, MACK**  
**CONCORD   Unnamed Stream Drainage Swale**

Requested Action:

Dredge and fill 420 square feet and install a 12 inch x 28 foot culvert for a common driveway in the subdivision of 15.14 acres onto 4 single family residential lots.

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Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact expedited application.

APPROVE PERMIT:

Dredge and fill 420 square feet and install a 12 inch x 28 foot culvert for a common driveway in the subdivision of 15.14 acres onto 4 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by TF Bernier dated June 2003, as received by the Department on July 11, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z) Installation of a culvert, and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The City of Concord has stated that they only own an easement over West Parish Road and do not own it in fee.

**2003-01488                      BUSH, IRENE & JOHN**  
**NEW CASTLE   Piscataqua River**

Requested Action:

Impact 1,099 square feet of developed upland tidal buffer zone for an addition to the existing single-family residence, and the construction of two stone terraces, and a landscaped stone wall stone wall.

\*\*\*\*\*

Inspection Date: 08/13/2003 by Christina Altimari

APPROVE PERMIT:

Impact 1,099 square feet of developed upland tidal buffer zone for an addition to the existing single-family residence, and the construction of two stone terraces, and a landscaped stone wall stone wall.

With Conditions:

1. All work shall be in accordance with plans by Robert Rodier, as received by the Department on August 4, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects that involve work within previously developed upland areas within 100 feet of the highest observable tide line.
2. Per Wt 302.01, the applicant has demonstrated the need for the proposed impacts in the upland tidal buffer zone.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, as the addition to the existing single-family residence, the landscaped stone wall, and one of the two stone terraces will be completely behind the 50 ft setback from the highest observable tide line.
4. The second, and easternmost stone terrace will extend seaward of the 50 ft setback, but will exist no closer than thirty feet from the highest observable tide line, and in an area that is currently developed, causing no negative environmental impacts as a result of its construction.
5. The abutter whose property line exists within 20 feet of the proposed project did not provide his/her written approval, therefore the applicant has requested that DES waive the requirement to obtain abutter approval.

6. DES field inspection on August 13, 2003 finds that due to the existing elevations being lower than that of the abutters', work proposed within 20' of the property line will not cause any negative environmental impacts to the abutting property.
7. The NH Natural Heritage Inventory (NHNHI) has record of two state threatened plant species within the project vicinity, Coast-Blite Goosefoot (*Chenopodium rubrum*) and Large Bur-Reed (*Sparganium eurycarpum*). NHNHI also has record of one plant species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
8. DES field inspection finds that the proposed project will not cause any negative environmental impacts to the state threatened plant species, or the plant species of special concern, as none of the plant species are located on the property.

**2003-01494                      LYMAN, TOWN OF**  
**LYMAN    Unnamed Wetland Drainage Areas**

Requested Action:

Replace in-kind (2) 15 in x 60 ft long culverts, (1) 15 in x 40 ft long culvert, and (1) 24 in x 80 ft long culvert on Skinny Ridge Rd in an unnamed wetland, in Lyman.

\*\*\*\*\*

APPROVE PERMIT:

Replace in-kind (2) 15 in x 60 ft long culverts, (1) 15 in x 40 ft long culvert, and (1) 24 in x 80 ft long culvert on Skinny Ridge Rd in an unnamed wetland, in Lyman.

With Conditions:

1. All work shall be in accordance with plans by John Boynton, as received by the Department on July 14, 2003.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Excavated and removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Repair shall maintain existing size, location and configuration.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Work shall be done during low flow.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-01550                      BRIDGES, CURTIS & MONA**  
**LYNDEBOROUGH    Unnamed Wetland**

Requested Action:

Fill 1263 sq ft to install an 18 in x 23 ft long culvert, and upgrade an existing roadway by adding 1663 sq ft of gravel with (2) 20

linear ft drainage swales for a single family driveway access crossing in an unnamed wetland, in Lyndeborough.

\*\*\*\*\*

Conservation Commission/Staff Comments:

USGS map is not at a useable scale. Digitized from tax map.

Con. Com. signed application.

APPROVE PERMIT:

Fill 1263 sq ft to install an 18 in x 23 ft long culvert, and upgrade an existing roadway by adding 1663 sq ft of gravel with (2) 20 linear ft drainage swales for a single family driveway access crossing in an unnamed wetland, in Lyndeborough.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated July 9, 2003, as received by the Department on July 18, 2003.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Work shall be done during low flow.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert for single family driveway access.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01563**

**CARONE, FREDRICK & PRISCILLA**

**BARTLETT Unnamed Stream**

Requested Action:

Fill 900 sq ft to install a 36 in x 30 ft long culvert in a seasonal stream for a single family driveway crossing in an unnamed stream, in Bartlett.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application

**APPROVE PERMIT:**

Fill 900 sq ft to install a 36 in x 30 ft long culvert in a seasonal stream for a single family driveway crossing in an unnamed stream, in Bartlett.

**With Conditions:**

1. All work shall be in accordance with plans by Fredrick Carone, as received by the Department on July 21, 2003.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Work shall be done during low flow.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert for a single family driveway crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01564                      NEW SPARTAN PROPERTIES LLC, AMHERST BUSINESS CENTE**  
**WILTON   Unnamed Stream**

**Requested Action:**

Fill 40 sq ft to install a 12 in x 4 ft long culvert extension to the existing headwall for roadway widening in an unnamed brook, in Wilton.

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**Conservation Commission/Staff Comments:**

Con. Com. signed application.

**APPROVE PERMIT:**

Fill 40 sq ft to install a 12 in x 4 ft long culvert extension to the existing headwall for roadway widening in an unnamed brook, in

Wilton.

With Conditions:

1. All work shall be in accordance with plans by Pike Industries, Inc. dated June 26, 2003, as received by the Department on July 21, 2003.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work shall be done during low flow.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(j), projects within the right of way of a public road.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01588                      ROSE IRREVOC TRUST, WILLIAM**  
**HILLSBOROUGH   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,677 square feet of palustrine forested wetlands for three crossings to provide access to 5 lots of a 10-lot subdivision

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APPROVE PERMIT:

Dredge and fill approximately 1,677 square feet of palustrine forested wetlands for three culvert crossings to provide access to 5 lots of a 10-lot subdivision

With Conditions:

1. All work shall be in accordance with Subdivision plan sheets 1, 2 and 4 by Meridian Land Services dated April 9, 2003, and Sheet 3 dated June 12, 2003, and plan details dated June 12, 2003, as received by the Department on July 22, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01590                      MIN-KYUN, HWANG**  
**HILLSBOROUGH    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 207 square feet of palustrine forested wetlands and install an 18" x 25' culvert to provide access to a single family residence

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill approximately 207 square feet of palustrine forested wetlands and install an 18" x 25' culvert to provide access to a single family residence

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated June 18, 2003, as received by the Department on July 22, 2003.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. No fill shall take place in Atlantic white cedar swamps.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert to provide access to a single family residence
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01621                      ENGEL, KATHLEEN**  
**WOLFEBORO   Unnamed Wetland**

Requested Action:

Fill 850 sq ft to install a 24 in x 43 ft long culvert for a single family driveway crossing in an unnamed wetland, in Wolfeboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Fill 850 sq ft to install a 24 in x 43 ft long culvert for a single family driveway crossing in an unnamed wetland, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Timothy D. Wade dated May, 2003, as received by the Department on June 20, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Work shall be done during low flow.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert for a single family driveway crossing.



2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01626                      ZIEBARTH, SHIRLEY**  
**BRIDGEWATER   Newfound Lake**

Requested Action:

Repair in-kind 28 linear ft of existing retaining wall, and reset fallen rocks on existing 50 linear ft breakwater on an average of 300 ft of frontage on Newfound Lake.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Repair in-kind 28 linear ft of existing retaining wall, and reset fallen rocks on existing 50 linear ft breakwater on an average of 300 ft of frontage on Newfound Lake.

With Conditions:

1. All work shall be in accordance with plans by Judith Jernow & Shirley Ziebarth, as received by the Department on July 28, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. Work shall be done during drawdown.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-01635                      PICARD, AARON**  
**MADISON   Middle Pea Porridge Pond**

Requested Action:

Replenish existing 500 sq ft beach with 10 cu yds of sand on an average of 100 ft of frontage on Middle Pea Porridge Pond, Madison.

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Conservation Commission/Staff Comments:

No locus found on USGS map. Digitized from tax map.

Con. Com. signed application.

APPROVE PERMIT:

Replenish existing 500 sq ft beach with 10 cu yds of sand on an average of 100 ft of frontage on Middle Pea Porridge Pond, Madison.

With Conditions:

1. All work shall be in accordance with plans by Aaron Picard, as received by the Department on July 24, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), replenishment of an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01636                      BROWN, NEAL**  
**GREENFIELD   Sunset Lake**

Requested Action:

Repair in-kind an existing 85 ft stone retaining wall on an average of 116 ft of frontage on Sunset Lake, Greenfield.

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Conservation Commission/Staff Comments:

Con. Com. signed application.

Spoke with Mr. Neal and he sent additional \$50 in mail.

APPROVE PERMIT:

Repair in-kind an existing 85 ft stone retaining wall on an average of 116 ft of frontage on Sunset Lake, Greenfield.

With Conditions:

1. All work shall be in accordance with plans by Neal Brown, as received by the Department on July 24, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. Repair shall maintain existing size, location and configuration.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. Work shall be done during drawdown.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

TRAILS NOTIFICATION

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**2003-01666                      US DEPT OF AGRICULTURE - FOREST SERVICE, JOE GILL,  
JACKSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Jackson Tax Map R10, Lot# 57A II

SEASONAL DOCK NOTIFICATIO

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**2003-01693                      CONNOR, DOUGLAS  
ALEXANDRIA   Newfound Lake**

COMPLETE NOTIFICATION:  
Hebron Tax Map 201, Lot# 99 Newfound Lake

